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Appln. of: Perholtz, Ronald J. et al.  
Serial No.: 10/032,325  
Filed: March 4, 2002

REMARKS

Claims 1-21, 123-128, 136-140, 144-162, 165-170, 172-226 and 239-246 are pending in the application. Claims 227-238 have been canceled by the present amendment, but no other claims have been added or amended herewith.


As discussed in the remarks section of the amendment filed September 10, 2003, those claims were previously pending in U.S. Patent Application No. 09/401,501 (hereinafter "the '501 application") and were added to this application with that amendment. When a continuation application (U.S. Patent Application Serial No. 10/425,717 (hereinafter "the '717 application")) was filed claiming priority to the '501 application, those claims remained pending in the '717 application as they were original claims in the specification of the '501 application. The examiner of the '717 application has now indicated that those claims are allowable in the '717 application.

While the examiner of the '717 application has considered the '212 patent corresponding to this reissue, and while it is believed that the examiner of the '717 application is aware of this pending re-issue and its file history, out of an abundance of caution, the assignee has filed in the '717 application a written Information Disclosure Statement requesting the examiner explicitly confirm that the file history of this re-issue application has been considered. Accordingly, the assignee reserves the right to resubmit claims 227-238 in this re-issue application should the examiner of the '717 application change positions on the allowability of the corresponding claims.

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Consequently, the pending claims are believed to be patentable and in condition for allowance for at least the reasons set forth in the response to the last office action. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

  
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